

Like Sun Sounds, most radio reading services operate on the sub-carrier (SCA) of an NCE station. By nature, these signals are fragile and subject to interference. Because of this, it is difficult to regard the proposal for a new class of low power FM stations with enthusiasm. Our apprehension falls into two categories, technical and policy.

From the technical standpoint, for an LPFM class of stations to be created, the Commission would have to reduce existing interference protection standards. It is impossible to avoid the conclusion that at least some of our listeners will receive a signal of poorer quality, or perhaps be totally disenfranchised.

Additionally, we are concerned about how a new class of stations might affect the analog-to-digital transition being studied by the Commission. The In-Band, On-Channel (IBOC) proposals under consideration will likely use existing sidebands to accommodate digital transmission. Because these proposals are based on current interference standards, any change in those standards could have a serious effect on Sun Sounds and other reading services. It is conceivable that the very viability of our service could be brought into question.

We are also aware that the Commission has expressed a desire to eliminate or relax technical filing requirements by new applicants. It seems as though it would be either our responsibility, or that of our main channel, to study each application for potential interference. Neither of us is in a financial position to do this. It would seem more appropriate for a potential licensee to show in a detailed fashion that there would be no detrimental effect upon either a main channel or a sub-carrier reading service.

In terms of policy, the Commission has noted that the creation of an LPFM class of stations would offer the potential for increased minority and/or female ownership of such stations. Sun Sounds understands the desirability of such a goal, but to accomplish it at the expense of a currently served disabled constituency would seem to be dubious policy. The Commission has long recognized that the provision of radio reading service for the blind, visually disabled, and print impaired is important to the national interest. In 1983, in the course of determining that public radio stations could use their subcarriers for remunerative purposes, the Commission stated unequivocally that stations taking advantage of the new flexibility must "ensure that neither existing nor potential radio reading services for the blind are diminished . . . by the pursuit of commercial subcarrier undertakings." *Amendment of Section 73.593 of the Commissions Rules, 54 RR 2d 25, 36 (1983)*; see also 47 C.F.R. §73.593. The Commission further stated that it was confident that public broadcasters were

cognizant of the importance of these services. To our knowledge, the Commission's position on the importance of radio reading services has not changed. Yet, the LPFM proposal creates the potential to seriously degrade the quality of these services.

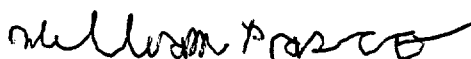
Moreover, any Commission action potentially having a negative impact on service to the disabled is at odds with the intent of Congress as enacted in Section 255 of the Telecommunications Act of 1996. This Section ensures that telecommunications equipment and services are readily available to those with disabilities; it imposes a responsibility on both equipment manufacturers and telecommunications service providers to address the needs of disabled persons. *See* 47 U.S.C. §255. By relaxing technical standards to accommodate low power FM, no matter how laudable the purpose, the Commission could be creating a "robbing Peter to pay Paul" situation. In the light of clear Congressional intent, the potential conflict looms large.

In considering the LPFM proposal, Sun Sounds has asked its technical advisors many questions. For example, to what extent will our current coverage and service be reduced? How does the LPFM proposal mesh with the analog-to-digital conversion, and how will that affect radio reading services? Answers have been vague, at best. We are told that the Commission has no more definitive information than we do.

On the policy side, to what degree should the current services to the disabled audience be jeopardized so that minority/female ownership goals might be achieved?

Sun Sounds requests that the Commission defer any action on the LPFM proposal until such time as the technical and policy questions can be addressed in a factual and comprehensive manner.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William Pasco", with a stylized flourish at the end.

William S. Pasco
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